



General Assembly

January Session, 2009

Committee Bill No. 5883

LCO No. 4823

04823HB05883JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE UNLICENSED PRACTICE OF MASSAGE THERAPY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-206b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) No person shall engage in the practice of massage therapy unless
4 the person has obtained a license from the department pursuant to this
5 section. Each person seeking licensure as a massage therapist shall
6 make application on forms prescribed by the department, pay an
7 application fee of three hundred dollars and present to the department
8 satisfactory evidence that the applicant: (1) Has graduated from a
9 school of massage therapy offering a course of study of not less than
10 five hundred classroom hours, with the instructor present, and, at the
11 time of the applicant's graduation, was either (A) accredited by an
12 agency recognized by the United States Department of Education or by
13 a state board of postsecondary technical trade and business schools, or
14 (B) accredited by the Commission on Massage Therapy Accreditation,
15 and (2) has passed the National Certification Examination for

16 Therapeutic Massage and Bodywork. Passing scores on the
17 examination shall be prescribed by the department.

18 (b) Licenses shall be renewed once every two years in accordance
19 with the provisions of section 19a-88. The fee for renewal shall be two
20 hundred dollars. No license shall be issued under this section to any
21 applicant against whom professional disciplinary action is pending or
22 who is the subject of an unresolved complaint in this or any other state
23 or jurisdiction. Any certificate granted by the department prior to June
24 1, 1993, shall be deemed a valid license permitting continuance of
25 profession subject to the provisions of this chapter.

26 (c) (1) Notwithstanding the provisions of subsection (a) of this
27 section, the department may issue a license to an applicant whose
28 school of massage therapy does not satisfy the requirement of
29 subparagraph (A) or (B) of subdivision (1) of said subsection (a),
30 provided the school held, at the time of the applicant's graduation, a
31 certificate issued by the Commissioner of Education pursuant to
32 section 10-7b and provided the applicant graduated within thirty-three
33 months of the date such school first offered the curriculum completed
34 by the applicant. No license shall be issued under this subsection to a
35 graduate of a school that fails to apply for and obtain accreditation by
36 (A) an accrediting agency recognized by the United States Department
37 of Education, or (B) the Commission on Massage Therapy
38 Accreditation within thirty-three months of the date such school first
39 offered the curriculum.

40 (2) Notwithstanding the provisions of subsection (a) of this section
41 and subdivision (1) of this subsection, the department may issue a
42 license to an applicant who submits evidence satisfactory to the
43 commissioner that the applicant (A) was enrolled, on or before July 1,
44 2005, in a school of massage therapy that was approved or accredited
45 by a state board of postsecondary technical trade and business schools
46 or a state agency recognized as such state's board of postsecondary
47 technical trade and business schools, (B) graduated from a school of

48 massage therapy with a course of study of not less than five hundred
49 classroom hours, with the instructor present, that at the time of the
50 applicant's graduation was approved or accredited by a state board of
51 postsecondary technical trade and business schools or a state agency
52 recognized as such state's board of postsecondary technical trade and
53 business schools, and (C) has passed the National Certification
54 Examination for Therapeutic Massage and Bodywork. Passing scores
55 on the examination shall be prescribed by the department.

56 (d) Each person licensed pursuant to this section has an affirmative
57 duty to make a written referral to a licensed healing arts practitioner,
58 as defined in section 20-1, of any client who has any physical or
59 medical condition that would constitute a contraindication for massage
60 therapy or that may require evaluation or treatment beyond the scope
61 of massage therapy.

62 (e) No person shall use the title "massage therapist", "licensed
63 massage therapist", "massage practitioner", "massagist", "masseur" or
64 "masseuse", unless the person holds a license issued in accordance
65 with this section or other applicable law.

66 (f) Notwithstanding the provisions of subsection (a) of this section,
67 the commissioner may issue a license to an out-of-state applicant who
68 submits evidence satisfactory to the commissioner of either: (1) (A) A
69 current license to practice therapeutic massage from another state or
70 jurisdiction, (B) documentation of practice for at least one year
71 immediately preceding application, and (C) successful completion of
72 the National Certification Examination for Therapeutic Massage and
73 Bodywork; or (2) (A) graduation from a school of massage therapy
74 offering a course of study of not less than five hundred classroom
75 hours, with the instructor present, and, at the time of the applicant's
76 graduation, was either (i) accredited by an agency recognized by the
77 United States Department of Education or by a state board of
78 postsecondary technical trade and business schools, or (ii) accredited
79 by the Commission on Massage Therapy Accreditation, and (B)

80 successful completion of the National Certification Examination for
81 Therapeutic Massage and Bodywork.

82 (g) Any person who violates the provisions of subsection (a) or (e) of
83 this section shall be fined not more than two hundred dollars or
84 imprisoned not more than thirty days, or both.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2009	20-206b
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Statement of Purpose:

To establish criminal penalties for the unlicensed practice of massage therapy or the use of a title that implies licensure as a massage therapist.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ORANGE, 48th Dist.; REP. HENNESSY, 127th Dist.

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